



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Arnold
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415 Knollcrest Drive, Suite 100, Redding, California 96002
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<http://www.waterboards.ca.gov/centralvalley>

17 March 2009

CERTIFIED MAIL
7007 3020 0003 0353 3899

Marc Sulik, Wastewater Treatment Manager
City of Chico Water Pollution Control Plant
4827 Chico River Road
Chico, CA 95928

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2009-0523, THE CITY OF CHICO, CHICO WATER POLLUTION CONTROL PLANT, BUTTE COUNTY

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) sections 13385. The Complaint charges The City of Chico (Discharger) with civil liability in the amount of **one hundred and fifty-three thousand dollars (\$153,000)** for violations of Waste Discharge Requirements (WDRs) Order R5-2004-0073. The violations are associated with two discharges of partially-treated sewage that occurred in May and June of 2008.

Pursuant to CWC section 13323, the Discharger may:

- Pay the assessed civil liability and waive its right to a hearing before the Central Valley Water Board by signing the enclosed waiver (checking off the box next to item #4) and submitting it to this office by **16 April 2009**, along with payment for the full amount;
- Agree to enter into settlement discussions with the Central Valley Water Board and request that any hearing on the matter be delayed by signing the enclosed waiver (checking off the box next to item #5) and submitting both the waiver and a letter describing the issues to be discussed to this office by **16 April 2009; or**
- Contest the Complaint and/or enter into settlement discussions with the Central Valley Water Board without signing the enclosed waiver.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations in the Complaint. This settlement will be considered final pending a 30-day comment period, starting from the date of this Complaint, during which time interested parties may comment on this proposed settlement by submitting information to this office, attention Greg Cash. Should the Central Valley Water Board receive new information or comments during this comment period, the Central Valley Water Board's Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

If the Central Valley Water Board does not receive a signed waiver **by 16 April 2009**, then a hearing will be scheduled for the **11/12 June 2009** Central Valley Water Board meeting in Rancho Cordova. The Central Valley Water Board's Prosecution Team has proposed the enclosed draft Hearing Procedures to govern the conduct of such a hearing. Any objections to these draft Hearing Procedures must be received by Lori Okun, whose contact information is listed in the enclosed draft Hearing procedures, by **5 p.m. on 30 March 2009**.

Any comments or evidence concerning the enclosed Complaint must be submitted in accordance with the deadlines contained in the enclosed draft Hearing Procedures, unless these deadlines are changed by the Central Valley Water Board's Adjudicatory Team, either on their own accord or upon request.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/

Copies of these documents can also be obtained by contacting the Central Valley Water Board's office at 415 Knollcrest Drive, Suite 100, Redding, CA 96002 weekdays between 8:00 a.m. and 5:00 p.m.

If you have any questions regarding the enclosed Complaint, please contact Greg Cash at 530-224-3208 or by e-mail at gdcash@waterboards.ca.gov.

JAMES C. PEDRI, P.E.
Assistant Executive Officer

GDC: sae

Enc: Administrative Civil Liability Complaint No. R5-2009-0523, Hearing Waiver, and Draft Hearing Procedures

cc - encl: Pamela C. Creedon, Executive Officer, CRWQCB, Rancho Cordova
Rick Brausch, U.S. Environmental Protection Agency, Region IX, San Francisco
Jason Brush, U.S. Environmental Protection Agency, Region IX, San Francisco
California Environmental Protection Agency, Sacramento
Department of Fish and Game, Region II, Rancho Cordova
Department of Health Services, Office of Drinking Water, Redding
Department of Water Resources, Northern District Office, Red Bluff
Val Conner, SWRCB, Division of Water Quality, Sacramento
Patrick Pulupa, State Water Resources Control Board, OCC, Sacramento
Mark Bradley, State Water Resources Control Board, Sacramento
Butte County Division of Environmental Health, Chico
Dennis Beardsley, General Services Director, City of Chico